



**BOARD OF DIRECTORS  
REGULAR MEETING  
October 27, 2022  
MINUTES**

**CALL TO ORDER** – At the direction of the President, the meeting was called to order at 3:00 PM.

**Attending** – Quorum was established:

Board President	Matt Coleman	Present
Vice President	Luke Travins	Present
Secretary	Scott Hente	Present
Treasurer	Mark Holthouse	Present
Board Member	Steve Durham	Present
Board Member	Tim McMahon	Present
Board Member	Barbara Rist	Present

Diane Hampson, KCPOA Community Manager, and Allie Johnson, Assistant Community Manager, were in attendance.

**Announcement by President**

Management is recording this meeting to verify the minutes; the executive session will not be recorded. After management composes and the EB verifies the minutes, this recording will be deleted. This announcement is standard practice incorporated into minutes from now on. This is a procedural change to assist the EB and management office.

**Review and approve minutes from September 29, 2022, Regularly Scheduled Meeting.**

**A motion was made to approve the minutes from September 29, 2022, as amended (Hente/ McMahon). Motion carried.**

**Introduction of Guests in person or via Zoom:** Erik Isaacson and Tim Westbrook, Representing Toll Brothers; Tom Twardowski, owner 3312 Bishop Pine; John Ledet, owner of 3307 Signature Golf Point; David Firmin, Altitude Law

Erik Isaacson discussed the construction traffic issue with trucks continuing to use the incorrect gates to access the community. He did say that Toll Brothers has taken some proactive measures but did admit that they are not as effective as they had hoped. Tim Westbrook advised that Toll Brothers is working on better protocols and procedures to address communication needs with their vendors and KCPOA. Matt Coleman commented that communication is an issue and requested specific ideas from Toll Brothers on how to correct the issue.



### **Manager's Report – Diane Hampson**

Diane Hampson provided a written report to the Executive Board. Items discussed were

- RR4 – The Preserve is scheduled to be paved on October 28<sup>th</sup> & 29<sup>th</sup>.
- The payment to Schmidt was processed and we received the Lien Release from them.
- Steve Durham asked who authorizes late fee waivers. Diane Hampson explained the current late fee waiver policy.
- Diane Hampson explained what CINC Web Axis is and gave a brief tutorial to the Board on how to navigate and use the website.
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### **Bylaws Amendment**

There was discussion regarding a proposed amendment to Section “4.3 Qualifications” to the Bylaws of KCPOA, the intent of which was to make signed acceptance of and compliance with the KCPOA Code of Conduct Principles a condition of service on the Executive Board. **A motion was made and seconded (Durham/Holthouse) to table discussion and voting on the proposed Bylaws amendment until the next EB meeting. The motion carried with Matt Coleman opposed.** Steve Durham will research and propose an alternative revision to the Bylaws that he thinks may be more suitable by the next EB meeting.

### **Infrastructure Committee – Tim McMahon**

- **A motion was made and seconded (McMahon/Hente) to ratify the committee's email vote to accept the asphalt repair contract from A-1. The motion carried.**
- Update on the resolution of the North Pointe disputed items. There is now a signed agreement between KCPOA and Orsillo Land Development (OLD), dated October 26, 2022.
  - The ILOC will remain intact through the warranty period but will be reduced to approximately \$2,000, using the formula outlined in the development agreement once OLD has completed the action items on the punch list.
  - Seal coats on Lyons View Point and Glen Vista Point - OLD agreed to make payments to KCPOA in the amount of \$13,000 to cover expenses. With the seal coats to be done in the spring of 2023.
  - OLD will be submitting a letter of completion of the items and requesting the ILOC reduction.
- Core samples for Signature Point will be scheduled, possibly within the next 45 – 60 days. Bruce Barbarick will provide the IC with the core sample report, at which time the IC will finalize a Road Maintenance Agreement to be reviewed by the EB and legal before presenting it to the Garden of the Gods Club POA for signature.



- 2541 Chilson Lane – The owners are working with Terra Nova to resolve a drainage issue that was found.

#### **ARC (Scott Hente)**

- The proposed design guidelines are on the website for community review. The discussion period is open until November 6, 2022.
- Scott presented a two-topic survey the ARC wants to send to the owners. The topics are artificial turf and fixed-in-place basketball hoops. It was decided to let the Rule 2.8 sports equipment Task Force, led by Luke Travins, meet and discuss the fixed-in-place basketball hoop issue before the ARC surveys the community on this subject. The ARC will proceed with its survey on Artificial Turf.
- **A motion was made and seconded (Hente/Travins) to appoint Stuart Furgerson to the ARC. The motion carried.**

#### **Covenant Committee – (Diane Hampson)**

- **A motion was made and seconded (Holthouse/McMahon) to appoint Tim Sullivan to the Covenant Committee. The motion carried.**
- **A motion was made and seconded (Travins/McMahon) to accept the appointment of Lyn Hente, Phil Erickson, Rebecca Kilibarda, Luke Travins, Zach McComsey, Tim Leigh, and Tim Sullivan to the Rule 2.8 sports equipment Task Force. The motion carried.**

#### **Finance Committee – (Mark Holthouse)**

- **A motion was made and seconded for the Board to accept the September 2022 financials (Holthouse/McMahon). The motion carried.**
- **A motion was made and seconded (Holthouse/McMahon) to appoint the members approved at the previous EB meeting to the Reserve Planning Task Force. The motion carried with Scott Hente recusing himself.**

#### **Security Committee – (Luke Travins)**

- Luke provided the EB with his written report. There were no questions or comments on the report.

#### **New Business**

- KCPOA's financial advisor, Stifel, is requiring that KCPOA adopt a resolution that records the 2022-2023 Board members and officers. The resolution is required by Stifel Investments to update signatories for reserve accounts.
- **A motion was made and seconded (Holthouse/Hente) to approve this resolution. The motion carried.**
- Matt Coleman advised the Board that the discussion of Impact Fees and the adoption of the Master Declaration by sub-associations will be discussed at a later time. Presently, an ad hoc discussion of the impact fees is underway between representatives of the IC, ARC, and FC. Matt also indicated he was organizing a meeting with sub-association



presidents for the purpose of getting input on this topic and others such as might be raised.

The EB adjourned to Executive Session at 5:04 to discuss the RowCal Management Agreement and the Holiday Gifting Program. The regular meeting reconvened at 5:10 pm.

**A motion was made and seconded (Holthouse/Travins) to approve the Holiday Gifting Program for 2022. Motion carried.** Matt will announce the gifting program in the Weekend Updates.

The combined November/December meeting will be on December 8, 2022, at 2:00 pm.

Respectfully submitted by Allie Johnson.